

ORIGINAL

Approved: Kaylan E. Lasky
KAYLAN E. LASKY
Assistant United States Attorney

Before: THE HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York

20 MAG 9389

- - - - - x

UNITED STATES OF AMERICA : 20 Mag.

- v. - : RULE 5(c)(3)
AFFIDAVIT

BARBARA OPPONG, and :
SOLACE KWAKYE, :

Defendants. :
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss:

BESIAN MEZINI, being duly sworn, deposes and says that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

On or about April 21, 2020, the United States District Court for the Eastern District of North Carolina, Western Division, issued an Arrest Warrant for the arrest of "Barbara Oppong" (the "Oppong Arrest Warrant") and "Solace Kwakye" (the "Kwakye Arrest Warrant," or together with the Oppong Arrest Warrant, the "Arrest Warrants") in connection with a Second Superseding Indictment charging both defendants with Conspiracy to Commit Marriage Fraud, in violation of 18 U.S.C. § 371, and also charging "Solace Kwakye" with Marriage Fraud, in violation of 8 U.S.C. § 1325(c). Copies of the Oppong Arrest Warrant, Kwakye Arrest Warrant, and the Second Superseding Indictment are attached hereto as Exhibits A, B, and C, respectively, and incorporated by reference herein.

I believe that BARBARA OPPONG and SOLACE KWAKYE, the defendants, who were arrested in the Southern District of New York on September 3, 2020, are the same individuals as "Barbara Oppong" and "Solace Kwakye," who are wanted in the United States

District Court for the Eastern District of North Carolina,
Western Division.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Special Agent with HSI. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of documents, reports, and records. I have been involved in determining whether BARBARA OPPONG and SOLACE KWAKYE, the defendants, are the same individuals as the "Barbara Oppong" and "Solace Kwakye" named in the Arrest Warrants. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendants, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my involvement in this investigation, including my conversations with investigating agents and my review of documents from proceedings in the Eastern District of North Carolina, Western Division, I have learned that:

a. On or about April 21, 2020, the United States District Court for the Eastern District of North Carolina, Western Division, issued the Arrest Warrants, for the arrests of "Barbara Oppong" and "Solace Kwakye." The Arrest Warrants were issued in connection with a Second Superseding Indictment assigned criminal case number 5:19-CR-423. The basis for the Arrest Warrants were the charges appearing in the Second Superseding Indictment, specifically, that "Barbara Oppong" and "Solace Kwakye" had committed Conspiracy to Commit Marriage Fraud, in violation of 18 U.S.C. § 371, and "Solace Kwakye" had also committed Marriage Fraud, in violation of 8 U.S.C. § 1325(c).

b. On or about August 31, 2020, I and other law enforcement officers set up surveillance of the purported residence of BARBARA OPPONG, the defendant, at a location in the Bronx (the "Oppong Address"), in order to surveil the residence. I observed an individual leaving the Oppong Address who matched photographs of "Barbara Oppong" appearing in searches of public source databases and Department of Homeland Security ("DHS") databases.

c. On or about September 3, 2020, I and other law enforcement officers returned to the Oppong Address to execute the Oppong Arrest Warrant. During the arrest, the defendant identified herself as "Barbara Oppong" and provided three forms of identification (the "Oppong IDs"): (1) a New York State Identification Card bearing the name "Barbara Oppong"; (2) a Ghana Passport bearing the name "Barbara Oppong"; and (3) a United States Uniformed Service Card bearing the name "Barbara Oppong." The photographs on each of the Oppong IDs appear to depict the same individual as the defendant and also match the photographs appearing in DHS and public databases. I have spoken with the investigating agents, who are familiar with the appearance of "Barbara Oppong," who is wanted by the United States District Court for the Eastern District of North Carolina, Western Division, and they believe that the photographs appearing on each of the Oppong IDs and in the DHS and public databases, depict the same individual who is named in the Oppong Warrant.

d. Based on the foregoing, I believe that BARABRA OPPONG, the defendant, is the same person as "Barbara Oppong," who is wanted by the United States District Court for the Eastern District of North Carolina, Western Division.

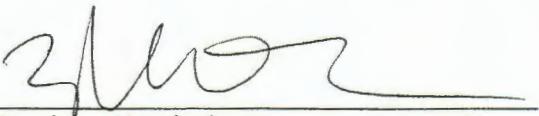
e. On or about August 31, 2020, I and other law enforcement officers set up surveillance of the purported residence of SOLACE KWAKYE, the defendant, in Yonkers, New York (the "Kwakye Address"), in order to surveil the residence. I showed a photograph of "Solace Kwakye" appearing in searches of DHS databases to the super for the Kwakye Address, who confirmed that "Solace Kwakye" had recently been present at the Kwakye Address.

f. On or about September 3, 2020, I and other law enforcement officers returned to the Kwakye Address to execute the Kwakye Arrest Warrant. During the arrest, the defendant identified herself as "Solace Kwakye" and provided four forms of identification (the "Kwakye IDs"): (1) a New York State Identification Card bearing the name "Solace Kwakye"; (2) a United States Social Security Card (the "SS Card") bearing the name "Solace Kwakye"; (3) a United States Employment Authorization Card bearing the name "Solace Kwakye"; and (4) a Ghana passport bearing the name "Solace Kwakye." The photographs on each of the Kwakye IDs, except for the SS Card, which does not contain a photograph, appears to depict the same individual as the defendant and also matches the photographs appearing in DHS databases. I have spoken with the investigating agents, who are familiar with the appearance of "Solace Kwakye," who is wanted by the United States District Court for the Eastern District of North Carolina, Western Division,

and they believe that the photographs appearing on the Kwakye IDs, except for the SS Card, which does not contain a photograph, and in the DHS databases, depict the same individual who is named in the Kwakye Warrant.

g. Based on the foregoing, I believe that SOLACE KWAKYE, the defendant, is the same person as "Solace Kwakye," who is wanted by the United States District Court for the Eastern District of North Carolina, Western Division.

WHEREFORE, I respectfully request that BARABARA OPPONG and SOLACE KWAKYE, the defendants, be imprisoned or bailed as the case may be.



Besian Mezini
Special Agent
Department of Homeland Security,
Homeland Security Investigations

Sworn to before me this
3rd day of September, 2020.



JAMES L. COTT
United States Magistrate Judge

Exhibit B

AO 442 (Rev. 12/85) Warrant for Arrest

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

UNITED STATES OF AMERICA

V.

**SEALED
WARRANT FOR ARREST**

CRIMINAL CASE: 5:19-CR-00423-8FL

SOLACE KWAKYE

To: The United States Marshal and any Authorized United States Officer. YOU ARE HEREBY COMMANDED to arrest SOLACE KWAKYE and he/she shall be brought before the nearest Magistrate/Judge to answer an

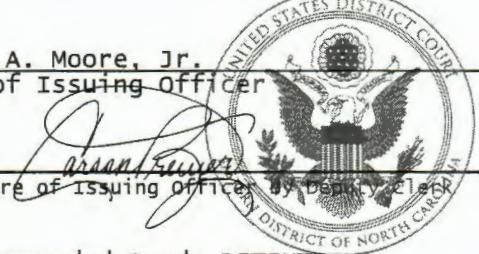
X **SEALED Indictment** **Superseding Indictment** **Criminal Information** **Complaint**

 Order of Court: **Violation Notice** **Probation Violation Petition** charging him/her with:

Count 7 - 18 U.S.C. § 371: Conspiracy to Commit Marriage Fraud

Count 20 - 8 U.S.C. § 1325©: Marriage Fraud

Peter A. Moore, Jr.
Name of Issuing Officer



Signature of Issuing Officer by Deputy Clerk

Clerk of Court
Title of Issuing Officer

APRIL 21, 2020 - RALEIGH, NORTH CAROLINA
Date and Location

Recommended Bond: DETENTION

RETURN

This warrant was received and executed with the arrest of the above named defendant at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	NAME AND TITLE OF ARRESTING
DATE OF ARREST		

Exhibit C

FILED IN OPEN COURT
ON 8/19/20 Blot
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:19-CR-423-1FL
NO. 5:19-CR-423-3FL
NO. 5:19-CR-423-4FL
NO. 5:19-CR-423-5FL
NO. 5:19-CR-423-6FL
NO. 5:19-CR-423-7FL
NO. 5:19-CR-423-8FL
NO. 5:19-CR-423-9FL
NO. 5:19-CR-423-10FL
NO. 5:19-CR-423-11FL
NO. 5:19-CR-423-12FL

UNITED STATES OF AMERICA)
)
 v.)
)
 EBENEZER YEBOAH ASANE)
 a/k/a "Ben")
 JAMES ERNEST EKOW ARTHUR)
 ERNEST ATTA GYASI)
 SAMUEL MANU AGYAPONG)
 a/k/a "Sammy Tuga", "AG")
 BARBARA OPPONG)
 WILLIAM STEVEN BALLARD)
 SOLACE KWAKYE)
 YEMISI MARY OPASO)
 CHRISTOPHER MATTHEW URQUIA)
 KEVYN JAKOB WARD)
 EFFUA AGYARE-DARKO)

SECOND
SUPERSEDING
INDICTMENT

General Allegations

At all times relevant to this Indictment:

1. The Immigration and Nationality Act (INA) governs the immigration laws of the United States.